United Nations A/AC.183/SR.262

General Assembly

Distr.: General
8 March 2002

Original: English

Committee on the Exercise of the Inalienable Rights of the Palestinian People

Summary record of the 262nd meeting
Held at Headquarters, New York, on Tuesday, 12 February 2002, at 10.30 a.m.

Temporary Chairman: Mr. Kofi Annan (Secretary-General of the United Nations)
Chairman: Mr. Fall ..... (Senegal)

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The meeting was called to order at 10.35 a.m.

Adoption of the agenda

1. *The agenda was adopted.*

Election of officers

2. **The Temporary Chairman** invited the Committee to consider nominations for the posts of Chairman, Vice-Chairmen and Rapporteur of the Committee.

3. **Mr. Andjaba** (Namibia) said that the situation in the Middle East and the occupied territories had reached a critical stage. Innocent Palestinians were being killed, homes and property destroyed and ever more deadly weapons used, including F-16 fighter bombers. Such actions must stop. The humiliation of Mr. Yasser Arafat, who had been placed under virtual house arrest, was totally unacceptable.

4. The United Nations could not ignore the carnage that was occurring as a consequence of foreign occupation. He urged the Secretary-General to continue his efforts to bring about a lasting peace. A prerequisite, however, was an unconditional withdrawal by the occupying forces in order to pave the way for the resumption of the peace process. Political will was required on all sides; and the Committee's duty must be to mobilize international support. For that, strong leadership was required. He therefore wished to propose Mr. Fall (Senegal) for re-election to the office of Chairman, Mr. Rodríguez Parrilla (Cuba) and Mr. Farhâdi (Afghanistan) for re-election to the offices of Vice-Chairmen and Mr. Balzan (Malta) for re-election to the office of Rapporteur.

5. **Mr. Hidayat** (Indonesia) seconded the nominations.

6. *Mr. Fall (Senegal), Mr. Rodríguez Parrilla (Cuba) and Mr. Farhâdi (Afghanistan) and Mr. Balzan (Malta) were elected by acclamation.*

7. *Mr. Fall (Senegal) took the Chair.*

Statement by the Secretary-General

8. **The Secretary-General** congratulated the Chairman on his unanimous re-election to the leadership of the Committee, which reflected the Committee's appreciation of the dedication that he and his country had shown in the search for a comprehensive, just and lasting peace in the Middle East and the exercise by the Palestinian people of its inalienable rights.

9. In the past 16 months, the situation on the ground had deteriorated to an unprecedented extent. The death toll currently exceeded 1,100, with up to 20,000 injured on both sides, the overwhelming majority being Palestinian.

10. There had been too much suffering. The deadly spiral of violence must stop. The parties should move away from confrontation and recrimination and return to the negotiating table. To do that, it was absolutely critical that they should finally start implementing, in full and without delay, the recommendations made in the report of the Sharm El-Sheikh Fact-Finding Committee (Mitchell report) and the Tenet Security Implementation Work Plan with a view to securing a durable ceasefire. That would help to reduce violence and restore a measure of mutual trust and faith in the peace process that had been lost over the past few months. In that context, he had called on both parties to make an effort to comply with the demands made by the "Quartet" — the United States, the Russian Federation and the European Union, together with the United Nations — in their joint statement of 25 October 2001.

11. The statement had urged Chairman Arafat to make a concerted effort to ensure full and strict compliance with the Palestinian Authority's ceasefire orders by, among other actions, arresting those who defied his orders and taking further steps against terrorist organizations. It had also called on Israel to withdraw immediately from Area A, halt all extrajudicial killings, ensure greater restraint by the Israel Defence Forces, fully respect the ceasefire, move swiftly to ease closures and take steps for the immediate implementation of the Mitchell report and the Tenet Plan.

12. The peace process was going through an extremely trying period; indeed, it was in distress. It had lost momentum and badly needed a renewal of energy and conviction. The parties should recommit themselves to the principles of the Madrid Peace Conference and the Oslo peace process and return to a meaningful political dialogue aimed at achieving a comprehensive, just and lasting settlement based on Security Council resolutions 242 (1967) and 338

(1973). The international community stood ready to help.

13. The Tenet understandings and the Mitchell report recommendations, which established clear and specific obligations for both sides, provided the basis for restoring the peace process. Their scrupulous implementation would re-establish the necessary security conditions and the necessary political commitments.

14. Making progress on security-related issues alone, without addressing the occupation, would not bring lasting security. Ultimately, that could be done only by reviving the peace process. The urgency and gravity of the situation were such that preconditions that could all too easily be thwarted by extremists should not be allowed to become barriers to further progress. It was therefore vital that all aspects of the Tenet Plan and the Mitchell report should be advanced as a package.

15. The demand for a major improvement in the security situation had to be linked to initiatives on the political front, in order to facilitate the return of the parties to the negotiating table. The international community must encourage both parties to take the steps required in order to break the current impasse. It had been seen in the past that extremists could be isolated, and security improved, once renewed prospects for negotiations appeared and the climate of mistrust, frustration and despair was eased.

16. The Palestinian leadership faced great challenges. The destruction of the infrastructure of the Palestinian Authority would only increase the difficulty it had in meeting both its political and its security commitments. Certainly, the virtual house arrest imposed on President Arafat should be lifted.

17. Daily violence, wide-scale destruction and repeated closure had had a catastrophic effect on the Palestinian economy. There had been a sharp rise in unemployment, leaving families without a source of income. Some 50 per cent of the Palestinian population lived below the poverty line. The level of despair and hopelessness among them was at an all-time high.

18. Emergency humanitarian relief had become a top priority. International donors had provided much-needed support to the Palestinian people and to the Palestinian Authority, which was currently operating under severe restrictions. By all accounts, more assistance would be needed in the coming weeks and months. In view of the gravity of the crisis and the severe economic hardship endured by the population, the international community should address the situation as a matter of great urgency.

19. The United Nations Development Programme and many other United Nations agencies continued to provide emergency assistance and to help improve or alleviate the living conditions of millions of Palestinian families. The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) remained at the forefront, responding to the essential day-to-day needs of nearly 1.5 million registered refugees in the West Bank and Gaza Strip and another 2.4 million refugees in Jordan, Lebanon and Syria.

20. In view of the worsening situation, the Agency had recently issued its 2002 emergency appeal for assistance. He called on the major contributors to help it perform its vital humanitarian work.

21. The United Nations Special Coordinator for the Middle East Peace Process, Mr. Terje Rød-Larsen, had been actively involved in repeated efforts to defuse the crisis, restart the peace process and coordinate donor assistance to the Palestinian people. In particular, together with representatives of the "Quartet" and other partners, he had been working with the parties on the immediate task of achieving a ceasefire and reactivating the political process.

22. He himself had also been engaged in those efforts and assured the Committee that he would continue to work with all parties until a comprehensive, just and lasting settlement of the question of Palestine was achieved, based on the relevant Security Council resolutions and the principle of "land for peace".

23. Lastly, he reiterated his appreciation of the important work of the Committee and expressed his support for its mandate.

Statement by the Chairman

24. **The Chairman**, speaking as the representative of Senegal, paid a tribute to his fellow officers and to the Division for Palestinian Rights for their joint efforts in working on an issue that was both complex and simple. He also expressed his appreciation of the work of the Secretary-General and his commitment to the revival of the peace process between Israel and Palestine.

25. That process could not prosper without a stop to the recourse to violence and terror on the part of

unrepentant hardliners, whether Israelis or Palestinians, nor without a sincere commitment by the Israeli Government to the logic and dynamic of the peace process. The Secretary-General had repeatedly called for the urgent application of the recommendations of the Sharm El-Sheikh Fact-Finding Committee. He expressed appreciation for the Secretary-General's support for the restoration of peace in a region whose legitimate hopes of stability, peace and development had been dashed.

26. The path through negotiations to the sunlit uplands of peace was strewn with obstacles, in the shape of the vicious circle of provocation and violence, wanton or targeted assassinations, reprisals, attacks, counter-attacks and desperate reactions. The Committee was nonetheless determined to pursue its mandate with care and pragmatism, for it was clear that both Israel and Palestine had the right to a sovereign existence, based on security and dignity, within secure and internationally guaranteed borders. In pursuit of that aim, the President of Senegal had held successive meetings, at the World Economic Forum in New York, with the Ambassador for Palestine and the Israeli Minister for Foreign Affairs. The meetings were in line with the two cardinal objectives formulated by Senegal at the Summit of the Organization of African Unity in Lusaka in July 2001: that the peace process should be revived and that the search for a possible African initiative to bring about a fair and lasting peace in accordance with the relevant United Nations resolutions should continue. The Committee would maintain — and increase — cooperation with all people of good will to that end.

27. In that context, he paid a tribute to Yasser Arafat, whose courage and wisdom, strong sense of responsibility and constant openness to dialogue had enabled him, although illegally restrained since 3 December 2001, to avoid all attempts at exclusion, diplomatic elimination or even physical liquidation. His national legitimacy, political leadership and international audience were intact. It was therefore incumbent on all sponsors of the peace process to draw the necessary lessons and work for the immediate resumption of negotiations. Although fragile, the possibility of peace remained.

Statement by the Permanent Observer for Palestine

28. **Mr. Al-Kidwa** (Observer for Palestine) said that the situation in the Occupied Palestinian Territory, including Jerusalem, worsened by the day as a result of the incessant, bloody Israeli military campaign being waged against the Palestinian people since 28 September 2000. The countless violations of human rights suffered by the Palestinians had included the killings of over 875 civilians, including children; extrajudicial executions; tens of thousands of injuries; abductions; destruction of homes, properties, fields, roads and economic facilities; confiscation of land; severe restrictions on freedom of movement; widespread closures, amounting to a virtual siege of Palestinian territory; and the continuing siege of President Yasser Arafat. He also condemned the bombardment of Gaza City the previous day, in which two United Nations workers had been wounded and the office of the Special Representative of the Secretary-General damaged.

29. The Israeli Government clearly had no intention of observing any ceasefire or calming the situation. On the contrary, its actions sought to incite and escalate the violence. Its ultimate aim was to destroy not only the Palestinian Authority but also what was left of its infrastructure. Such actions accelerated the dangerous slide of the whole region into war and confrontation.

30. Although the international community had done much to curb Israel's attacks and make it change its policies, the attitude of the United States Government — allowing the Israeli Government to bypass the peace process and flout existing agreements — had meant that less had been done than should have been done. Members of the United Nations had tried to take action, although proposals in the Security Council had unfortunately been blocked by two United States vetoes in 2001. His Mission was, however, most appreciative of the General Assembly's action in reconvening the Conference of the High Contracting Parties to the Fourth Geneva Convention, which had resulted in an extremely important declaration. The international pressure on the Israeli Government should be maintained.

31. The Palestinian position on terrorism had always been very clear, especially in the aftermath of the attacks on New York on 11 September. The Palestinian Authority had also repeatedly condemned terrorist bombings that targeted Israeli civilians, but it utterly rejected, as a matter of principle, attempts to confuse such action with any resistance in the Occupied Palestinian Territory. It remained committed to

peaceful negotiations, while hoping that Israel would not destroy that strategic decision.

32. The international community's common agenda to fight terrorist groups worldwide was regrettably being undermined by attempts to change that agenda to serve the purposes of narrow and often illegitimate interests, including those of Israel. Moreover, the use of military force alone, without dealing with people's real grievances or resolving the countless injustices that they suffered, was tantamount to sowing the seeds for the next catastrophe. It was not too late to launch an honest debate aimed at maintaining consensus on the issue.

Report by the Chairman on developments since the previous meeting

33. **The Chairman** said that the General Assembly had overwhelmingly supported the four draft resolutions submitted to it by the Committee, adopting them as resolutions 56/33, 56/34, 56/35 and 56/36. That indicated the importance attached by the vast majority of States to achieving a comprehensive, just and lasting settlement of the question of Palestine and reiterated the responsibility of the United Nations in that regard.

34. On 5 December 2001, at the request of the League of Arab States and the Organization of the Islamic Conference, a Conference of High Contracting Parties to the Fourth Geneva Convention had taken place in Geneva, focusing on the application of the fourth Geneva Convention in the Occupied Palestinian Territory, including East Jerusalem. Only three of the High Contracting Parties — Australia, Israel and the United States of America — had declined to take part. The United Nations High Commissioner for Human Rights and the Commissioner-General of UNRWA had addressed the Conference, in addition to a number of the High Contracting Parties. At the end of the Conference, the High Contracting Parties had adopted, without a vote, a declaration in which they deplored the number of civilian victims, reaffirmed the applicability of the fourth Geneva Convention to the Occupied Palestinian Territory, recalled the obligations of all concerned, expressed support for the endeavours of humanitarian organizations and United Nations bodies, and encouraged the resumption of negotiations with a view to finding a just and lasting peace.

35. On 14 December 2001, the Security Council had met at the request of the Arab Group of States to discuss the situation in the Middle East. A draft resolution (S/2001/1199) — introduced by Tunisia on behalf of the Arab Group — by which the Council would have condemned all extrajudicial executions, the excessive use of force and the wide destruction of property, and would have encouraged the establishment of a monitoring mechanism to help the parties, had not been adopted, despite 12 votes in favour, because one permanent member of the Council had voted against it. The issue had therefore been taken up at the tenth emergency special session of the General Assembly, which had resumed on 20 December at the request of the Permanent Representative of Egypt, acting in his capacity as Chairman of the Arab Group for December 2001, and the Permanent Representative of South Africa, acting in his capacity as Chairman of the Non-Aligned Movement. Two resolutions introduced by Egypt had been adopted at that session (A/RES/ES-10/8 and A/RES/ES-10/9).

36. On behalf of the Committee, he congratulated Guinea, a member of the Committee, and Bulgaria and the Syrian Arab Republic, two of the observers, on their election as non-permanent members of the Security Council.

37. If there were no other comments, he would take it that the Committee wished to take note of the information he had presented.

38. *It was so decided.*

Draft programme of work of the Committee (A/AC.183/2002/CRP.1)

39. **The Chairman**, introducing the draft programme of work of the Committee for 2002 (A/AC.183/2002/CRP.1), said that it reflected the ongoing concerns and objectives of the Committee. In preparing the draft programme of work, the Bureau of the Committee had been guided by the need to make it more responsive to developments in the peace process and on the ground. The Committee would continue to review the proposed programme in that light and would make adjustments as necessary.

40. *The draft programme of work of the Committee for 2002 (A/AC.183/2002/CRP.1) was adopted.*

United Nations International Meeting in Support of Middle East Peace, Nicosia, 16 and 17 April 2002

United Nations Non-Governmental Organization Meeting in Solidarity with the Palestinian People, Nicosia, 18 April 2002

41. **The Chairman** said that the United Nations International Meeting in Support of Middle East Peace and the United Nations Non-Governmental Organization Meeting in Solidarity with the Palestinian People would be held in Nicosia on 16 and 17 April 2002 and 18 April 2002, respectively. He expressed gratitude to the Government of Cyprus for agreeing to host the Meetings and to the Permanent Representative of Cyprus for his assistance in the matter. The provisional programmes were contained in Working Papers Nos. 1 and 2.

42. *The provisional programme for the United Nations International Meeting in Support of Middle East Peace, as contained in Working Paper No. 1, was adopted.*

43. *The provisional programme for the United Nations Non-Governmental Organization Meeting in Solidarity with the Palestinian People, as contained in Working Paper No. 2, was adopted.*

44. **The Chairman** said that the Committee's delegation to both meetings in Nicosia would be composed of Mr. Rodríguez Parrilla (Cuba) and Mr. Farhâdi (Afghanistan), Vice-Chairmen of the Committee, Mr. Balzan (Malta), Rapporteur, Mr. Zackheos (Cyprus), Mr. Al-Kidwa (Observer for Palestine) and himself.

45. **Mr. Zackheos** (Cyprus), commending the decision to hold the two meetings in Cyprus, said that it indicated his Government's commitment to the international efforts to pursue peace and reconciliation in the Middle East. The present situation was unacceptable, since it exacerbated the plight of the Palestinian people and did not provide the security which the Israeli people rightly desired. The cycle of violence had to end. A new Middle East was needed, with justice and security for all and regional cooperation. The creation of a viable Palestinian State was a sine qua non for a lasting peace in the Middle East; foreign occupation could not constitute a means of legitimizing a breach of international law. His Government would work closely with the Committee and the secretariat to ensure successful meetings that might help to end the violence and bring the parties to the negotiating table.

Developments in the Middle East peace process and the situation in the Occupied Palestinian Territory, including Jerusalem

46. **The Chairman** said that the situation on the ground in the Middle East remained extremely serious. He and the Secretary-General had already touched upon some of the developments both in the region and at the United Nations since the Committee's last meeting. He invited the Observer for Palestine to provide a further update.

47. **Mr. Al-Kidwa** (Observer for Palestine) expressed appreciation to the representative of Cyprus and his Government for their efforts to ensure the success of the forthcoming meetings in Nicosia. He welcomed the small but positive change in the attitude of the United States towards the situation in the Middle East, indicated in specific statements made the previous day. Another positive development was the attention being given to the situation in the Middle East by the Security Council, which was holding regular briefings on the subject and had placed it on its monthly agenda. He hoped that Council members would look seriously at ways of monitoring developments, such as sending a delegation to the region, including the Occupied Palestinian Territory, and organizing a meeting with the Palestinian leadership. That would enable the Council to see for itself the situation on the ground and to consider what further steps it or the Secretary-General might take. Among other things, it was vital to act upon the declaration of the Conference of the High Contracting Parties to the Fourth Geneva Convention. The Palestinian people would continue to call on the Council and the General Assembly to fulfil their obligations under the Charter of the United Nations by pursuing their efforts to end the disastrous situation of the Palestinians and achieve a settlement on the basis of United Nations resolutions and the principles of land for peace and the peaceful coexistence of two States. That required the withdrawal of Israel from the Golan and the areas of Lebanon which it still occupied, as well as from Palestinian territories. It was to be hoped that peace would be achieved without further bloodshed and suffering on the part of the Palestinian people.

Other matters

48. **Mr. Diallo** (Guinea) said that his delegation was committed to participating in the work of the Committee and hoped that it would give a fresh impetus to the peace process in the Middle East and improve the situation of the Palestinian people.

49. **The Chairman** expressed the hope that 2002 would see the establishment of peace in the Middle East.

The meeting rose at 12.05 p.m.